

**Board Meeting Minutes  
August 21, 2003**

**Board for Professional Engineers and Land Surveyors  
2535 Capitol Oaks Drive  
4th Floor Conference Room  
Sacramento, California, 95833  
(916) 263-2222**

**Thursday, August 21, 2003**

**Board Members Present:** Gregg Brandow (President), Andrew Hopwood (Vice-President), Arthur Duffy, James Foley, William Roschen, Millicent Safran, Elizabeth Warren, Michael Welch, Dale Wilson, and Edward Yu.

**Board Members Absent:** David Fruchtmann

**Board Staff Present:** Cindi Christenson (Executive Officer), Gary Duke (Legal Counsel), Nancy Eissler (Attorney General Liaison Analyst), Cindy Fernandez (Executive Analyst), Debbie Thompson (Budget Analyst), Joanne Arnold (Enforcement & Legislative Programs Manager), Janeece Sargis (Examination Analyst), and Howard Brunner (Staff Land Surveyor).

**Public Present:** See Attached

- 1. Incoming Board President Takes Office**  
President Brandow presented a plaque to Past President Safran.
- 2. Roll Call to Establish a Quorum**  
The meeting was called to order by President Brandow at 10:05 a.m. Roll call was taken, and a quorum was established.
- 3. Public Comment**  
No public comment.
- 4. Closed Session**  
The Board went into closed session at 10:10 a.m.
- 5. Open Session to Announce the Results of Closed Session**

Ms. Christenson reported that the Board discussed pending litigation as noticed, specifically Lawrence B. Karp v. Board for Professional Engineers and Land Surveyors, et al. (San Francisco Superior Court Case No. 402996) and Ladislav Peter Petrovsky v. Board for Professional Engineers and Land Surveyors (Los Angeles Superior Court, Case No. BS080673).

Ms. Christenson reported that the Board approved the following cut score for the April 2003 Land Surveyor examination:

- Land Surveyor/State Specific 186 out of a possible 400

Ms. Christenson reported that the Board adopted the results of the take-home examination for the candidates who had previously passed the other portions of the April 2004 examinations.

Ms. Christenson reported that the Board adopted the stipulation regarding Warren H. Parker.

Ms. Christenson reported that President Brandow will be appointing a Task Force to look at the discrepancy between the National and State Specific Land Surveyor examinations.

**6. Approval of Consent Items (Possible Action)**

**a. Approval of the Minutes of the June 26 & 27, 2003, Board Meeting.**

**MOTION:** Mr. Duffy/Vice President Hopwood moved to approve the minutes of the June 26 & 27, 2003, Board Meeting.

**VOTE:** 10-0, motion carried.

**b. Approval of Candidates for Certification/Licensure. (Based on Examination Results, Including Successful Appeals, Adopted in Closed Session)**

**MOTION:** Mr. Wilson/Mr. Welch moved to approve candidates for licensure and certification based on examination results, including successful appeal results and take home examination results, approved in closed session.

**VOTE:** 10-0, motion carried.

**7. Approval of Delinquent Reinstatements.**

**MOTION:** Mr. Wilson/Vice President Hopwood moved to approve the Delinquent Reinstatements as follows:

## **Civil**

1. **MESA, DAVID**  
Reinstate applicant's civil license once he takes and passes the Board's Laws and Rules Examination and pays all required delinquent renewal fees.
2. **KIASALEH, KAMBIZ**  
Reinstate applicant's civil and structural licenses once he takes and passes the Seismic Principles Examination, the Engineering Surveying Examination, the Board's Laws and Rules Examination, and pays all required delinquent renewal fees.

## **Mechanical**

1. **ECKERT, KURTIS W.**  
Reinstate applicant's mechanical license once he takes and passes the Board's Laws and Rules Examination.
2. **MENON, ELEDETH S.**  
Reinstate applicant's mechanical license once he takes and passes the Board's Laws and Rules Examination and pays all required delinquent renewal fees.

## **Quality**

1. **PINE, TIMOTHY A.**  
Reinstate applicant's quality license once he takes and passes the Board's Laws and Rules Examination.

## **Traffic**

1. **BAGHDANIAN, JANO**  
Reinstate applicant's traffic license once he takes and passes the Board's Laws and Rules Examination and pays all required delinquent renewal fees.

**VOTE:** 10-0, motion carried.

## **8. Comity and Temporary Authorization Applications (Possible Action)**

**MOTION:** Vice President Hopwood/Ms. Safran moved to approve the Amended Handout Comity List.

**VOTE:** 10-0, motion carried.

**9. Title Act Study Report & Task Force (Possible Action)**

President Brandow reported that the Title Act Study Task Force meeting will be held at 1:00 p.m. on August 21, 2003.

**10. Legislative**

**a. Discussion of Legislation for 2003, including but not limited to, AB 827, AB 1265, SB 31, SB 360, SB 864 and SB 1078 (Possible Action)**

Ms. Arnold reported on the status of Legislation that the Board is currently following.

**MOTION:** Ms. Safran/Mr. Yu moved to watch AB 827, Board Membership.

**VOTE:** 10-0, motion carried.

**b. Status of Regulations**

Ms. Arnold reported on this item.

**11. Technical Advisory Committee Reports  
(No Committee Meetings were held.)**

**a. Board Assignments to TACs (Possible Action)**

No assignments were made to the TACs.

Mr. Duke clarified the information he had provided at the June 2003 Board meeting regarding discussions among TAC members. Mr. Duke explained that it would be a violation of the Bagley-Keene Open Meeting Act for TAC members to discuss items outside of a noticed public meeting, such as via telephone or e-mail, in order to reach a collective agreement and make a recommendation to the Board. He advised that individual TAC members may submit information to the TAC liaisons and that information could then be presented to the Board at a noticed public meeting for discussion and action, but the TAC members may not reach a collective agreement about what to present to the Board.

The Board requested that Mr. Duke review the Executive Order to determine if there are any exemptions that would allow the TACs to meet more than once a year if the Board deemed it necessary.

**b. Appointment of TAC Members (Possible Action)**

**MOTION:** Ms. Safran/Vice President Hopwood moved to reappoint Hei Yip Lee for a second term and Anthony Dover and John Moossazadeh for a third term on the GETAC, terms to expire June 30, 2005.

**VOTE:** 10-0, motion carried.

**MOTION:** Vice President Hopwood/Mr. Foley moved to reappoint Charles Sinkey as a member of the SETAC for a term that expires on June 30,2005.

**VOTE:** 10-0, motion carried.

**c. Approval of TAC Budgets & Workplans (Possible Action)**

**MOTION:** Mr. Foley/Mr. Welch moved to approve the workplan and budget for the Fiscal Year 2003/2004 for the SE, GE, EE, and ME TACs, with the modification that the SETAC will have one (1) meeting with a budget of \$1,500.

**VOTE:** 10-0, motion carried.

**12. President's Report**

President Brandow assigned the Administration Committee to review all the Board's publications and assigned the Examination/Qualifications Committee to look into unsecuring the Structural Engineer examination and California State-Specific Professional Land Surveyor Examination design/essay questions.

President Brandow appointed Ms. Safran and Mr. Welch to the Land Surveyor Task Force.

President Brandow suggested that articles regarding the filing of Organization Record forms, an engineer's "duty to warn," copyright laws, and judicial immunity for engineers who testify in court be included in the next Bulletin/Newsletter and placed on the Board's website.

**13. Executive Officer's Report**

**1. Administration Report**

**a. Executive summary report**  
No report given.

**b. State budget**  
No report given.

**c. Implementation of Fee Increase**  
Ms. Christenson reported that the Fee Increase has been implemented.

**2. Personnel**

**a. Hiring freeze**

Ms. Christenson reported that the hiring freeze is still in effect.

**b. Vacancies**

Ms. Christenson reported that the Board had one more vacancy because Terri Magee, an evaluator, left the Board in July. Since this vacancy occurred after June 30, 2003, the Board was able to fill this vacancy through the “surplus employee/layoff” list.

**3. Enforcement/Examination/Licensing**

**a. College Outreach**

Ms. Crawford held an outreach for the Young Member Forum.

**b. Report on Enforcement Activities**

No report given.

**c. Report on Examination Activities**

No report given.

**d. First Time vs. Multi Test Taker Statistics**

No report given.

**4. Publications/Website**

**a. Website activity**

No report given.

**b. Bulletin/Newsletter**

**c. Law Publication**

Ms. Christenson thanked Ms. Eissler for all the work she did on getting the Board/Newsletter and Law Publication written, published, and distributed.

**5. Sunset Review & Report**

Ms. Christenson reported that Ms. Arnold is working on the Sunset Review Report.

**6. Other**

**a. DCA update**

No report given.

**14. Approval of Board Travel (Possible Action)**

No Board Travel.

**15. Other Items Not Requiring Board Action**

**a. Next Board meeting: September 25 & 26, 2003, Glendale, CA**

Ms. Eissler reported that there will be a Petition for Reinstatement Hearing in conjunction with the Board Meeting on September 25, 2003. The hearing will begin at 1:00 p.m.

President Brandow reported on the NCEES Annual Meeting held August 13-16, 2003, in Maryland that he, Vice President Hopwood, and Ms. Christenson attended.

**16. Adjourn**

The Board adjourned at 11:30 a.m.

## **PUBLIC PRESENT**

Steve Hao, CalTrans

Art Sutton, IEEE

Carl Cde Baca, CLSA

Lee Adler, SEAOC